

## **Christmas Tree Sales**

### **Submittal Requirements, Conditions and Restrictions**

#### **Submittal Requirements**

- Christmas Tree Sales shall be permitted in residential districts (RE, E, R1-R6, RR) only when located on the site of a permitted nonresidential use.
- A site plan or map, drawn to scale, shall be submitted showing the location of structures, improvements, parking areas and other features that exist or are proposed on the site; the parking layout shall also include a delineation of individual parking stalls and bays intended to accommodate the event attendees.
- Owner's permission shall be obtained for the use of the subject property.

#### **Conditions and Restrictions**

- Use shall be confined to PIN# \_\_\_\_\_ beginning \_\_\_\_\_ and extending through \_\_\_\_\_. Maximum length of permit shall be 45 days; Christmas Tree Sales shall not exceed a period of 45 days per calendar year.
- Hours of operation shall be confined to \_\_\_\_\_.
- All sales shall be conducted at least 30' from the right-of-way of any street.
- A minimum of 30' setback shall be maintained from property used or zoned for residential purposes.
- Any temporary structure shall be located at least four (4) feet from any structures on the property.
- The property shall be of sufficient size to provide adequate off-street parking in addition to required parking for any existing use on the property.
- The main road from which access is taken shall be always kept free of dust, dirt, mud and other debris.
- Sales shall be conducted in such a manner so as not to interfere with traffic or cause a nuisance.
- Temporary structures shall be removed immediately after completion of sale.

- One temporary sign, up to 16 square feet in area, shall be permitted per entrance or per road frontage for temporary uses and special events for which a temporary use permit has been issued. The total number of signs shall not exceed 2. Such signs shall be allowed for the duration of the temporary use permit or such other time as expressly established at the time of approval of the temporary use permit. All temporary signs shall be removed immediately upon cessation of the temporary use.
- The Planning, Building and Development Director shall have the authority to suspend, revoke or modify a temporary use permit immediately upon determination that the conditions and requirements set forth in the permit have been violated. Written notice of the Planning, Building and Development Director's determination to suspend, revoke or modify the permit shall be promptly provided by the applicant. A determination shall be final and conclusive unless the applicant takes an appeal to the Planning, Building and Zoning Committee, by filing a notice of appeal with the Chairman of the Committee within 10 calendar days after receipt of notice of the Planning, Building and Development Director's determination.
- The Planning, Building and Development Director shall have the authority to deny Temporary Use Permits to any person who owns, applied for or otherwise caused an uncorrected violation of a provision of the Unified Development Ordinance or who has demonstrated a willful history of violations, including any condition attached to the permit or approval previously granted by the county. This provision shall apply regardless of whether the property for which the permit or other approval is sought is the property in violation.
- The Planning, Building and Development Director shall have the authority to deny Temporary Use Permits on any land or structure or improvements thereon upon which there is an uncorrected violation of a provision of the Unified Development Ordinance, including any condition attached to a permit or approval previously granted by the County. This enforcement provision shall apply regardless of whether the current owner or applicant is responsible for the violation in question.

***I, the undersigned, have read and agree to abide by the above stated requirements, conditions, and restrictions for the use of the subject property for which this Temporary Use Permit is being granted.***

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

## CHECK LIST FOR TEMPORARY SALES- Christmas Tree Sale

### For Office Use Only

The following items are on file in relation to the temporary use permit being requested:

- |   | <u>Yes</u>               | <u>No</u>                | <u>N/A</u>               |
|---|--------------------------|--------------------------|--------------------------|
| 1. Is the Use permitted in the Zoning District?<br>(permitted in residential districts [RE, E, R-1 to R-6, RR]<br>only when located on the site of a permitted<br>non-residential use):   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. If located in a residential zone, are the hours of operation<br>restricted to daylight hours?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Maximum length of permit shall be 45 days:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Written permission from the owner of the property:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. A site plan, <u>drawn to scale</u> , showing setbacks of<br>temporary structures and parking areas   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Are the sales conducted at least 30 feet from the<br>right-of-way of any street?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Is minimum of 30 foot setback<br>maintained from property used or zoned<br>for residential purposes?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Arrangement for temporary sanitary facilities:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Permission from the Highway Authority:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Is the access drive to the site a minimum of 150 feet from<br>the right of way of any public road intersection or other<br>major access drive? If not, is permission granted from the<br>highway authority for the existing access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Is sufficient off-street parking for the temporary use<br>in addition to the required parking for the permanent<br>use available?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Has the applicant applied for building permits for all<br>proposed temporary structures?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Are all proposed temporary structures located four (4)<br>feet from all other structures?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Proposed signage (number____)(sq.ft.____):  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

\_\_\_\_\_  
Name: Project Manager

\_\_\_\_\_  
Date

**AFFIDAVIT**

**I, owner of PIN# \_\_\_\_\_ give permission to**  
**\_\_\_\_\_ for the use of the subject property**  
**for temporary sales: Christmas Tree Sale.**

**I also will allow the applicant to use the sanitary facilities located on the**  
**subject property.**

\_\_\_\_\_  
**Owner of PIN#**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Notary Signature**